

REMARKS

This response is filed in response to an Office Action dated November 17, 2005 issued by the United States Patent and Trademark Office in connection with the above identified application.

Applicant has carefully studied the outstanding Office Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner.

Claims 1-10 are pending in the application. Claims 1 and 5-9 have been amended. Claim 10 has been cancelled. New claims 11-13 have been added. Reconsideration of the application is respectfully requested.

Double Patenting

Claim 1, 3, 4 and 7-10 are rejected under 35 USC 101 as claiming the same invention as that of claims 1, 3, 4 and 10-12 and 16 of US Patent No; 6,718,501 ('501).

Claim 2, 5 and 6 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2, 5 and 6 of US Patent No; 6,718,501 ('501).

Claims 1 and 5-9 have been amended. Claim 10 has been deleted. New claims 11-13 have been added. Applicants respectfully submit that the claims, as amended are patentable distinguishable from the claims in the '501 patent and that the double patenting objection is moot.

Claim 1 has been amended and recites a method for producing a copy-protected audio compact disc which *inter alia*, overwrites data symbols with erroneous symbols and includes the step of disabling the error-correction of erroneous symbols by altering a plurality of additional data symbols in codewords associated with the erroneous symbols.

Thus, Applicants respectfully submit that claim 1 of the present application is patentable distinguishable from claim 1 in the '501 patent Since claims 2-6 are dependent from claim 1, claims 2-6 are similarly distinguishable from the claims 2-6 in the '501 patent.

Claim 7 has been amended and recites a copy-protected audio compact disc comprising at least one erroneous symbol that does not correspond to the audio signal. The erroneous symbol includes an overwritten data symbol. The error-correction codewords, which are associated with

the altered data symbol, include at least one overwritten symbol which is contained within the disabled error-correction codeword associated with the overwritten data symbol.

Thus, Applicants respectfully submit that claim 7 of the present application is patentable distinguishable from claim 10 in the '501 patent. Since claims 8-9 are dependent from claim 7, claims 7-9 are similarly distinguishable from the claims 11-12 in the '501 patent.

Claim 10 has been cancelled.

New claims 11-12, dependent from claim 1 and new claim 13, dependent from claim 7, have been added to better clarify the distinguishing features of the present application. No new material has been added.

Thus, Applicants respectfully submit that the rejections based on double patenting objection have been overcome. Applicants respectfully request that the double patenting rejection be withdrawn.

The prior art made of record is noted.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below.

In view of the above amendments and remarks, it is respectfully submitted that the claims are patentable over the art of record and are now in condition for allowance. Prompt notice of allowance is respectfully solicited.

Respectfully submitted,

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